



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Walter G. SCOTT

Appl. No.: 10/622,707

Filed: July 21, 2003

For: **Method for Obtaining Biometric Data  
for an Individual in a Secure Transaction**

Confirmation No.: 4386

Art Unit: 2834

Examiner: Budd, Mark Osborne

Atty. Docket: 1823.0150007

**Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms PTO/SB/08a and PTO/SB/08b are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached PTO/SB/08a and PTO/SB/08b based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☒ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign

application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 7. Copies of the documents are submitted herewith.
- ☒ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/815,250, filed March 23, 2001, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. (37 C.F.R. § 1.98(d)).

- ☐ 9. No copies of U.S. patents and patent application publications cited on the attached Forms PTO/SB/08a and PTO/SB/08b are submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003.
- ☐ 10. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). \_\_\_\_\_, filed \_\_\_\_\_ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08a and PTO/SB/08b, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Theodore A. Wood  
Attorney for Applicant  
Registration No. 52,374

Date: April 19, 2004

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/622,707	
			Filing Date	July 21, 2003	
			First Named Inventor	Walter G. Scott	
			Art Unit	2834	
			Examiner Name	Budd, Mark Osborne	
Sheet	1	of	3	Attorney Docket Number	1823.0150007

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if Known)			
	AA1	US-4,316,115	02-16-1982	Wilson <i>et al.</i>	
	AB1	US-4,394,773	07-19-1983	Ruell	
	AC1	US-4,499,394	02-12-1985	Koal	
	AD1	US-4,539,554	09-03-1985	Jarvis <i>et al.</i>	
	AE1	US-4,555,953	12-03-1985	Dario <i>et al.</i>	
	AF1	US-4,634,917	01-06-1987	Dvorsky <i>et al.</i>	
	AG1	US-4,643,028	02-17-1987	Kondo <i>et al.</i>	
	AH1	US-4,709,342	03-21-1989	Ratzlaff <i>et al.</i>	
	AI1	US-4,814,661	03-21-1989	Ratzlaff <i>et al.</i>	
	AJ1	US-4,849,668	07-18-1989	Crawley <i>et al.</i>	
	AK1	US-5,055,838	10-08-1991	Wise <i>et al.</i>	
	AL1	US-5,224,174	06-29-1993	Schneider <i>et al.</i>	
	AM1	US-5,273,045	12-28-1993	Chihara <i>et al.</i>	
	AN1	US-5,311,095	05-10-1994	Smith <i>et al.</i>	
	AO1	US-5,339,051	08-16-1994	Koehler <i>et al.</i>	
	AP1	US-5,365,154	11-15-1994	Schneider <i>et al.</i>	
	AQ1	US-5,421,335	06-06-1995	Wild	
	AR1	US-5,424,596	06-13-1995	Mendenhall <i>et al.</i>	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>4</sup> Kind Code <sup>5</sup> (in known)				
	BA1	DE 19750179 A1	02-25-1999	Hahn-Jose		
	BB1	EP 0649116 A1 and B1	04-19-1995	Tamori		
	BC1	JP 7-059769	03-07-1995	Toshiro <i>et al.</i>		
	BD1	JP 8-336534	12-24-1996	Takeshi		
	BE1	WO01/18740 A1	03-15-2001	Schneider <i>et al.</i>		
	BF1	WO01/19016 A1	03-15-2001	Schneider <i>et al.</i>		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M PEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.  
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete If Known</b> Application Number: 10/622,707 Filing Date: July 21, 2003 First Named Inventor: Walter G. Scott Art Unit: 2834 Examiner Name: Budd, Mark Osborne Attorney Docket Number: 1823.0150007	
Sheet	2	of	3		

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (If Known)			
	AA2	US-5,456,256	10-10-1995	Schneider <i>et al.</i>	
	AB2	US-5,500,635	03-19-1996	Mott	
	AC2	US-5,515,738	05-14-1996	Tamori	
	AD2	US-5,552,274	09-03-1996	Oyama <i>et al.</i>	
	AE2	US-5,578,761	11-26-1996	Clark, Jr. <i>et al.</i>	
	AF2	US-5,587,533	12-24-1996	Schneider <i>et al.</i>	
	AG2	US-5,647,364	07-15-1997	Schneider <i>et al.</i>	
	AH2	US-5,689,576	11-18-1997	Schneider <i>et al.</i>	
	AI2	US-5,760,530	06-02-1998	Kolesar	
	AJ2	US-5,844,287	12-01-1998	Hassan <i>et al.</i>	
	AK2	US-5,935,071	08-10-1999	Schneider <i>et al.</i>	
	AL2	US-6,111,342	08-29-2000	Muramatsu <i>et al.</i>	
	AM2	US-6,296,610 B1	10-02-2001	Schneider <i>et al.</i>	
	AN2	US-6,461,314 B1	10-08-2002	Pant <i>et al.</i>	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>4</sup> Kind Code <sup>5</sup> (in known)				
	BA2	WO01/67383 A1	09-13-2001	Koo		
	BB2	WO01/91626 A2	12-06-2001	Currie <i>et al.</i>		
	BC2	WO02/12660 A1	02-14-2002	Koo		
	BD2	WO02/48485 A1	06-20-2002	Koo		
	BE2	WO03/15011 A1	02-20-2003	Koo		

Examiner Signature		Date Considered	
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Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete If Known</b>			
		Application Number	10/622,707		
		Filing Date	July 21, 2003		
		First Named Inventor	Walter G. Scott		
		Art Unit	2834		
		Examiner Name	Budd, Mark Osborne		
Sheet	3	of	3	Attorney Docket Number	1823.0150007

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	CA1	Schneider <i>et al.</i> , "Live Scan Fingerprint Imagery Using High Resolution C-Scan Ultrasonography," <i>Proceedings of the 25<sup>th</sup> Annual 1991 IEEE Int'l Carnahan Conference on Security Technology</i> , IEEE, October 1-3, 1991, Taipei, Taiwan, pp. 89-95.	
	CB1	Patent Abstract of Japanese Publication Number 08336534, Japanese Patent Office, 1 page (December 1996).	
	CC1	Patent Abstract of Japanese Publication Number 07059769, Japanese Patent Office, 1 page (March 1995).	
	CD1	DIALOG File 349 (PCT FULL TEXT) (1 page) English Language abstract of Patent WO 9910874, published March 4, 1999.	
	CE1	DIALOG File 349 (PCT FULL TEXT) (1 page) English Language abstract of Patent DE 19750179 A1, published February 25, 1999.	
	CF1	Davidsen, R. and Smith, S., "Two-Dimensional Array for Medical Ultrasound Using Multilayer Flexible Circuit Interconnection," <i>IEEE Transactions on Ultrasonics, Ferroelectrics, and Frequency Control</i> , IEEE, Vol. 45, No. 2, pp. 338-348 (March 1998).	
	CG1	Roethenbaugh, Gary, "Biometrics Explained," <i>International Computer Security Association</i> , Vol. 2.0, pp. 1-34 (1998)	

Examiner Signature		Date Considered	
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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